## 1 ALAN W. SPARER (No. 104921) MARC HABER (No. 192981) 2 JAMES S. NABWANGU (No. 236601) LAW OFFICES OF ALAN W. SPARER 100 Pine Street, 33<sup>rd</sup> Floor 3 San Francisco, California 94111-5128 4 Telephone: 415/217-7300 Facsimile: 415/217-7307 5 asparer@sparerlaw.com mhaber@sparerlaw.com 6 inabwangu@sparerlaw.com 7 Attorneys for Plaintiffs 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 SAN FRANCISCO DIVISION 11 12 MICHAEL B. ESHELMAN, D.D.S.; PETER F. No. C 07 1429 JSW SILCHER, D.D.S.; and LORI I. SILCHER, 13 Action Filed: Plaintiffs, March 12, 2007 14 v. 15 ORTHOCLEAR HOLDINGS, INC. a British STIPULATION AND (PROPOSED) Virgin Islands Company; ORTHOCLEAR, ORDER TO RESCHEDULE CASE INC., a Delaware Corporation; MUHAMMAD 16 MANAGEMENT CONFERENCE ZIAULLAH CHISHTI, an individual; HUAFENG "CHARLÉS" WEN, an individual; 17 PETER RIEPENHAUSEN, an individual; 18 ARTHUR T. TAYLOR, an individual; SAIYED ATIO RAZA, an individual; 19 CHRISTOPHER KAWAJA, an individual; PATRICIA HUMELL SEIFERT, an individual; 20 JOSEPH BREELAND, an individual; MUDASSAR RATHORE, an individual: 21 PAUL BADAWI, an individual; 3i TECHNOLOGY PARTNERS III, LP, a 22 Limited Partnership; and DOES 1 through 25, inclusive. 23 Defendants. 24 25 26 27 28

STIP AND [PROPOSED] ORDER RE SCHEDULING OF INITIAL CMC

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STIPULATION 1 2 WHEREAS, Plaintiffs' lead counsel Alan W. Sparer, is unavailable from June 25 through 3 July 1, 2007, as more fully provided in the Declaration of Alan W. Sparer in Support of 4 Stipulation and [Proposed] Order to Reschedule Case Management Conference; and 5 WHEREAS Plaintiffs have conferred with all other counsel in this case, who are 6 agreeable to rescheduling the initial Case Management Conference; 7 NOW THEREFORE, Plaintiffs and Defendants hereby stipulate that the initial Case 8 Management Conference be rescheduled from June 29, 2007 to a new date and time to be set by 9 the Court after July 8, 2007. 10 DATED: April 20, 2007 LAW OFFICES OF ALAN W. SPARER 11 12 ALAN W. SPARER 13 Attorneys for Plaintiffs 14 Concurrence in the filing of this document has been obtained by each of the other signatories. 15 DATED: April 20, 2007 GENERAL COUNSEL OF OCUMENTA, INC. 16 17 18 PAT COSTELLO 19 As counsel for Ocumenta, Inc. and Ocumenta Holdings, Inc. (f/k/a Orthoclear, Inc. and OrthoClear 20 Holdings, Inc. respectively), and as an agent for Defendants other than Kawaia, Badawi and 3i 21 22 DATED: April 20, 2007 MCDERMOTT WILL & EMERY 23 By: 24 MATTHEW J. JACOBS 25 Attorneys for Defendant Kawaja 26 27 28 STIP AND [PROPOSED] ORDER RE SCHEDULING OF INITIAL CMC C 07-01429 JSW

## DATED: April 20, 2007 **ROPES & GRAY LLP** PETER L. WELSH Attorneys for Defendants 3i Technology Partners III, LP and Paul Badawi **ORDER** This Court, having reviewed this Stipulation of the parties, and good cause appearing therefore, the initial Case Management Conference is rescheduled to July 13 , 2007, at 1:30 p.m., in Courtroom 2, 17th Floor, Federal Building, 450 Golden Gate Avenue, San Francisco, California 94102. IT IS SO ORDERED. Dated: April 23, 2007 ES DISTRICT JUDGE

STIP AND PROPOSED ORDER RE SCHEDULING OF INITIAL CMC

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